

MEMORANDUM

September 14, 1979

TO: County Council

FROM: Pearl O. Schloo, Legislative Staff Specialist

SUBJECT: Worksession on Bill 23-79, Amendments to
Meet and Confer Legislation

A worksession on Bill 23-79 has been scheduled for Monday, September 17, 1979, at 10 AM in the Council Conference Room. All interested parties have been notified of this worksession.

All speakers who testified at the July 17, 1979, public hearing endorsed Bill 23-79 as proposed by the County Executive and were unanimous in their opposition to the two amendments proposed by Councilmembers Scull, Gelman and Potter which would provide that before an employee organization is certified, at least 50% or 30% of the eligible employees would be required to cast ballots. It was pointed out that:

- °requiring a percentage of all eligible to vote makes it difficult to have a representative group certified;
- °local, state and federal elections are decided by a simple majority;
- °the Task Force on Collective Bargaining for Public Employees appointed by the General Assembly in October 1977 recommended that an employee organization be recognized as the exclusive employee representative upon receiving a simple majority of the votes cast in an election;
- °most state and local labor laws require only a majority of votes cast to determine the employee representative organization.

Tom Stone, representing the County Executive, suggested that Bill 23-79 be amended to delete the emergency provision and that this bill be considered as regular legislation.

Attached for your consideration are:

- several letters received following the public hearing
- a copy of Bill 23-79
- a copy of the Meet and Confer legislation, Bill 11-76.

POS/sgb

MINORITY EMPLOYEES ASSOCIATION

THE ORGANIZATION FOR
MONTGOMERY COUNTY GOVERNMENT
MINORITY EMPLOYEES

July 17, 1979

TO: Mr. Neal Potter, President and Members of the Montgomery
County Council

FROM: Donald R. Gibson, Chairperson and Members of the Minority
Employees Association

SUBJECT: Public Hearing Testimony; Amendments to County Meet and
Confer Legislation

"When an organization receives at least fifty percent (50%) of valid votes cast in the election, the Chief Administrative Officer shall certify it as the official employee organization for the employee unit."

The concept of a majority of valid votes cast in an election being equated to representative Democracy is one of the primary building blocks of this Country. Any amendment which alters this basic foundation tears at the roots of "the will of the people to be represented."

Suppose the founders of this Country had placed a minimum voting requirement which stated that "50% or 30% of the people eligible to participate in an election must cast valid ballots before a President of the United States can be elected". The reality of this statement is that in this day and age, we would not have an elected leader.

The Minority Employees Association therefore, reject both amendments to the Employee Organization Certification Requirements. MEA however, does support the Amendment to the Employer/Employee Relations Act as set forth by the County Executive, Mr. Gilchrist on March 6, 1979 and previously alluded to in the opening statement.

Let's keep Democracy simple and workable. Thank you.

MEA

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EXHIBIT 000001

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211 Dower Avenue
Takoma Park, MD 20012
July 13, 1979

Mr. Neal Potter, President
Montgomery County Council
County Office Building
Rockville MD 20012

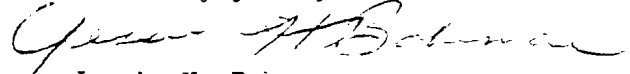
Dear Mr. Potter:

I am sorry I cannot attend the July 17 hearing on the "meet and confer" bill and its amendments. I hope to be in New Hampshire by Tuesday.

I'd like to make known my support for an employee election in which the decision would be based upon a majority of those voting if a majority (not sixty per cent) of County employees voted in the election. I was a poll watcher (for MCCEO) at the employee election where a number of people believed they were eligible to vote, but their votes had to be challenged. Others who did not vote could have done so according to the print-out list. The guidelines for eligibility were obviously not clear.

I hope you can support a simple majority of County employees voting in an election to establish the employee organization with which County government officials will meet and confer.

Sincerely yours,


Jessie H. Bakeman

WOMEN
for equality

The Organization for
Women Employees of Montgomery County Government

150 Maryland Avenue / Rockville, Maryland 20850



July 13, 1979

Mr. Neal Potter, President
Montgomery County Council
100 Maryland Avenue
Rockville, Maryland 20850

Dear Mr. Potter:

Re: Meet and Confer Bill

The Meet and Confer legislation before you is an important and giant step in the improvement of employee-management relationships. The Women Employees of this government urge its passage without numerical voting requirements.

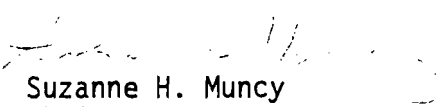
It is our understanding that a sixty percent to thirty percent of those eligible to vote requirement is to be written into the bill as a requirement for recognition of the employee organization.

It does not appear to be rational to impose such percentages on employee representation. There should be no requirement other than a simple majority of those voting. To require a percentage of all eligible to vote seems to present a hardship on employee organizations. We are after all speaking to only meet and confer arrangements and not to hard and fast bargaining and demands.

Women for Equality urges the Council to pass a bill requiring a simple majority of those voting for recognition of the employees organization.

Thank you for your consideration of this matter.

Cordially,


Suzanne H. Muncy
Chairperson